

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS, TEXAS**

UNITED STATES OF AMERICA §
VS. § **CAUSE NO. 3: 14-CR-00367-B-26**
CASEY ROSE §

**DEFENDANT'S MOTION FOR CONTINUANCE
OF SENTENCING HEARING**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the Defendant, Casey Rose, and files this Motion to Continue Sentencing Hearing, and would show the following:

I.

This case is presently set for sentencing on January 14, 2016 at 1:30 PM. The Presentence Report was due for disclosure to defendant's counsel and attorney for the Government by or before December 3, 2015. Written objections or a written statement adopting the Presentence Report are due for delivery on or before December 17, 2015. Any Addendums to the Presentence Report are due by or before December 30, 2015. Written objections to the Addendum are due by or before January 7, 2016. Any motion regarding Downward or Upward Departures or Variances are due at least 14 days before sentencing.

Defendant represented himself at jury trial from September 14, 2015 to September 18, 2015. Attorney for defendant, Joseph J. Padian, was appointed to represent defendant on September 30, 2015 and is the fourth attorney for defendant, not including defendant's pro se representation.

Defendant's attorney has conferred with defendant since being appointed on September 30th and has tried to gather as much information as possible from defendant since that time. Prior to

filing this motion, the attorney spoke to the United States Probation Officer, Steven R. Johnson, assigned to defendant's case to choose a date for defendant's PSR interview. The attorney informed the Probation Officer that he would be requesting a continuance of the sentencing date due to the amount of information the attorney had not fully gathered and reviewed. As of the date of the filing of this motion, defendant and his attorney still had not met with the Probation Officer in order for the Probation Officer to complete the PSR. The attorney knows from conferring with the Probation Officer that the Probation Officer was relying on attorney's motion for continuance to select a date for defendant's interview and the deadline for submitting the PSR.

III.

The attorney is requesting a continuance of the sentencing date in order that he will have an adequate amount of time to review, investigate and research the evidence and law in this case and allow the Probation Officer adequate time to conduct an interview with the defendant for the PSR.

IV.

This motion is not made for the purposes of delay, but so that the ends of justice may be served.

Based on the foregoing, defendant respectfully request that the Court grant a continuance of the sentencing date in this case to February 18, 2015.

Respectfully submitted,

/s/ Joseph J. Padian
JOSEPH J. PADIAN
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Attorney for Defendant Casey Rose

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Philip Meitl, counsel for the government, via email on November 30, 2015 and he states that the government is not opposed to the relief sought herein.

/s/ Joseph J. Padian
JOSEPH J. PADIAN

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2015, a true and correct copy of the foregoing was filed via the Court's CM/ECF system, thereby providing service on all counsel of record in this matter.

/s/ Joseph J. Padian
JOSEPH J. PADIAN